

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JONATHAN MARCELO LATACEL A LUNA, :
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Plaintiff, :
: 19-CV-2641 (JMF)
-v- :
: ORDER OF DISMISSAL
MATTHEW WHITAKER, KIRSTJEN NIELSEN, LEE :
FRANCIS CISSNA, THOMAS CIOPPA, and MICHAEL :
RICHARD POMPEO, :
:
Defendants. :
:
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JESSE M. FURMAN, United States District Judge:

The Complaint in this action was filed on March 28, 2019. A few days later, Plaintiff filed an affidavit of service. *See* ECF No. 5. Neither Plaintiff nor Defendants have filed anything since — even though the Court, on February 24, 2020 (after the case was reassigned to the undersigned), ordered the parties to file a joint letter by March 9, 2020, updating the Court as to the status of the case, or in the alternative, to file proof of termination if this case has been settled or otherwise terminated. *See* ECF No. 6.

In light of the foregoing, the Court assumes that the case has been resolved (or is now moot) and/or that Plaintiff does not intend to proceed with the action. Accordingly, it is ORDERED that the case be and is hereby DISMISSED and discontinued without costs, and without prejudice to the right to reopen the action **within thirty days** of the date of this Order. To be clear, any application to reopen **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis.

Any pending motions are moot. All conferences are canceled. The Clerk of Court is directed to close the case

SO ORDERED.

Dated: June 1, 2020
New York, New York


JESSE M. FURMAN
United States District Judge